

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Proh. & Excise Deptt., - Certain deaths occurred due to consumption of adulterated liquor by the villagers in East Godavari District - Disciplinary proceedings against Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (Enf.) Kakinada (now under suspension) under rule 20 of A.P.C.S.(CC&A) Rules, 1991 -Articles of Charges - Issued.

REVENUE (VIG.V) DEPARTMENT

G.O.Rt.No. 786 .

Dated:29-05-2010.

Read:

G.O.Ms.No. 476, Revenue (Vig.V) Department, Dt:29-05-2010.

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O R D E R:

It is proposed to hold a common enquiry against Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (Enf.) Kakinada (now under suspension) along with (5) others in accordance with the procedure laid down under rule 20 of A.P.C.S.(CC&A) Rules, 1991.

2. The substance of imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charge (Annexure-I). A statement of imputations of misconduct/misbehaviour (Annexure-II). A list of documents by which and a list of witnesses by whom the proposed Articles of Charge are sustained (Annexure-III & IV).

3. Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (Enf.) Kakinada (u/s) is directed to submit his written statement of defence before the Government on 11-06-2010 and to represent in person if he so desires.

4. Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (u/s) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (u/s) is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the disciplinary authority or otherwise fails or refuse to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, it will be construed that he has no defence to offer and the issue will be finalised basing on the material available with the Government.

Contd..P.2.,

6. Attention of Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (u/s) is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order together with its enclosures shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri A.V.V.S.N. Murthy, Assistant Commissioner, Proh. & Excise (u/s) (w.e)
Through: the Commissioner, Proh. & Excise, AP, Hyderabad (w.e).
The Commissioner, Prohibition & Excise, AP, Hyderabad (2 copies)
(with a request to serve the Original Order on the Charged Officer and return the copy of it).
Copy to:
PS to Prl.Secy. to Govt. Revenue Dept.,
The Revenue (Excise I) Department
SF/SC.

// Forwarded :: By Order //

SECTION OFFICER.

ANNEXURE - I

ARTICLE OF CHARGES FRAMED AGAINST SRI A.V.V.S.N. MURTHY, ASSISTANT COMMISSIONER OF PROHIBITION AND EXCISE

ARTICLE - I :

That, the said Sri A.V.V.S.N. Murthy, Assistant Commissioner of Prohibition and Excise (Enft) Kakinada has derelicted his duties which led to consumption of illicit liquor by the villagers of G. Agraharam, Musalapally villages of Ambajipeta Mandal and Palagummi and Bandaru Lanka Villages of Amalapuram Mandal between 24-1-2010 to 26-1-2010 and caused death of (18) persons and hospitalization of (178) persons. Thus, he has exhibited gross negligence towards his legitimate duties

Hence, the charge.

ARTICLE - II :

That, the said Sri A.V.V.S.N. Murthy, Assistant Commissioner of Prohibition and Excise (Enft) Kakinada has failed to supervise and control illicit distillation crime effectively in Amalapuram area which led to the above tragedy and thereby neglected his legitimate duties.

Hence, the charge.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER.

ANNEXURE -II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI A.V.V.S.N. MURTHY, ASSISTANT COMMISSIONER, PROHIBITION & EXCISE

Article -I & II

That Sri A.V.V.S.N. Murthy, S/o Satyanarayana Murthy is a native of West Godavari District. His date of birth is 02.04.1954. He joined Government service as Excise Inspector on 06.04.1982 and subsequently promoted as Assistant Commissioner of Prohibition and Excise on 09.07.2008. He is drawing basic pay of Rs 23550 in the time scale of Rs 14600-29250 (He is hereinafter referred as Government Servant)

That, when the Government servant was posted as Assistant Commissioner of Prohibition and Excise (Enft) Kakinada, certain villagers of G.Agraharam, Musalapalli villages of Ambajipeta Mandal and Palagummi and Bandaru Lanka Villages of Amalapuram Mandal consumed illicit liquor on 23-1-2010 and from 24-1-2010 they fell ill with stomach ache and vomiting sensation. On the same day, three persons died in the villages. On 25-1-2010, three more persons died in the hospital. The doctors certified that the deaths were due to cardiogenic shock. The villagers have also not disclosed any type of information to the Police, Revenue or Excise officials as to exact cause of the deaths. It is suspected that people died of consumption of ID liquor adulterated with Methyl Alcohol. The death toll rose to (18) and (178) persons are hospitalised.

The above incident shows that the Government servant has derelicted his duties which led to consumption of illicit liquor by the villagers of G. Agraharam, Musalapally villages of Ambajipeta Mandal and Palagummi and Bandaru Lanka Villages of Amalapuram Mandal and caused death of (18) persons and hospitalization of (178) persons. The Government Servant also failed to control illicit distillation crime effectively in his jurisdiction which led to the above tragedy

Thus, the Government Servant by his above mentioned act has exhibited lack of devotion to duty and thereby contravened rule 3(1) & (3) of A.P. Civil Services (Conduct) Rules, 1964.

The Government servant has therefore rendered himself for regular departmental action for major penalty.

Hence, the charge.

ASUTOSH MISHRA
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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI
A.V.V.S.N. MURTHY, ASSISTANT COMMISSIONER, PROHIBITION & EXCISE

Article -I & II

1. DC, Kakinada report in Rc.No.A1/84/2010, dated: 27-01-2010
2. Collector & District Magistrate, East Godavari District,
D.O.Lr.No.C1(M)/59/2010, dated: 27-1-2010

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ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI
A.V.V.S.N. MURTHY, ASSISTANT COMMISSIONER, PROHIBITION & EXCISE

Article -I & II

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